

**Resolution 2014-15: 132**  
**Amendment #3 to JT Securities Inc. Agreement**

**By Board Member Brown**

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, in September 2012, as a result of repeated vandalism at the School 17 project site, the Program Manager recommended and the RJSCB approved that the Construction Manager (“CM”) for School 17, The Pike Company (“Pike”), hire security guard services for after hours and weekend/holiday coverage (Resolution 2012-2013: 31); and

WHEREAS, thereafter, the District requested that all RSMP projects include security guard services for after hours, weekends, and holiday coverage for those projects where the school buildings have been vacated for construction or are located in areas that either have a history or are considered more vulnerable to vandalism; and

WHEREAS, the costs for security guard services for the overall project were later identified by the Program Manager as a “program wide expense” and the method of paying for these services through the Construction Manager’s contract did not lend itself easily to separation and tracking of these program costs; and

WHEREAS, based upon the Program Manager’s recommendation, the RJSCB MWBE and Services Procurement Committee (“Committee”) at its meeting on November 29, 2012, decided to contract directly with the security guard services firm; and

WHEREAS, in December of 2012, the RJSCB approved that the CM for School 58, LeChase Construction (“Lechase”), hire security guard services for the School 58 project site for a period of 90 days (Resolution 2012-2013: 72) in order to provide the RJSCB time to prepare a contract directly with the security services firms; and

WHEREAS, Pike and Lechase each solicited proposals for these services for School 17 and School 58 respectively; and

WHEREAS, in March 2013, the RJSCB approved Resolution 2012-2013: 122 to directly hire the security services firms for projects that were under construction at the time including School 17, School 50, and School 58 and it then entered into an agreement with JT Securities, Inc. d/b/a Blackhawk Security and Investigation dated March 5, 2013, to perform such security work (the “Agreement”); and

WHEREAS, due to the schedule extension of the School 58 project, it became necessary to extend the services of JT Securities, Inc. to provide additional security coverage at the School 58 project site; and

WHEREAS, the change in the schedule for the School 58 project resulted in a total increased cost of not-to-exceed \$100,000 under Amendment No. 1 (Resolution 2014-15: 3) and this was later extended in Amendment No. 2 (Resolution 2014-15: 123); and

WHEREAS, it has come to the attention of the RJSCB that the hourly rate that was being charged by JT Securities, Inc. and paid to its employees for the work under the Agreement and Amendment No. 1 was not correct and that a higher rate should have been charged and paid; and

WHEREAS, at the request of the Program Manager, JT Securities, Inc. is compiling its certified payroll information for the RJSCB to show the correct amounts that are due for the applicable pay periods under the Agreement and Amendment No. 1, which is estimated to be the not-to-exceed amount of \$100,000; and

WHEREAS, based on the advice and recommendation of the Program Manager, the MWBE and Services Procurement Committee considered and discussed the proposal for additional compensation at its December 4, 2014 meeting and after due deliberation, it approved the request to amend the Agreement:

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and JT Securities Inc. dated March 5, 2013 as set forth above is hereby approved, subject to JT Securities, Inc. providing a) the certified payroll information and b) the executed certification forms and proof of payment to the employees, all in an acceptable form per the Program Manager and the Executive Director; and
2. The RJSCB's Chair is authorized in the name and behalf of the RJSCB, to execute an amendment to the JT Securities Inc. Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Vice Chair Brown**  
**Approved 6-0 with Member Hilger away**